

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE EASTERN DIVISION

IN RE:
MARQUITTA COLLIER
DEBTOR(S)

CHAPTER 13 06-12485
ADV. PRO. NO. 06-

MARQUITTA COLLIER
PLAINTIFF

v.
CASH 1
CREDITOR/Defendants.

COMPLAINT TO COMPEL TURNOVER OF FUNDS

Comes now the Debtor(s)/Plaintiff(s), Marquitta Collier, by and through her counsel of record, and files this Complaint to Compel turnover of funds withheld from Marquitta Collier's weekly payroll check dated October 19, 2006, and would show unto the Court the following:

1. On October 4, 2006, Debtor(s)/Plaintiff(s), Marquitta Collier, filed chapter 13 bankruptcy case no. 06-12485, which is still an active case;
2. At the time of filing, Debtors listed debt owing to Cash 1, in the amount of \$477.22;
3. After the filing of her petition, Cash 1 received \$271.42 out of Marquitta Collier's paycheck.
4. Cash 1 received a total of \$271.42 from the debtor post-petition.
5. The debt was included in her chapter 13 bankruptcy to be paid through the plan.

Wherefore said premises Debtor respectfully request an order compelling turnover of the above described property from the defendant-creditor to the Plaintiff.

RESPECTFULLY SUBMITTED

ROBERT B. VANDIVER, JR.

/s/ Robert B. Vandiver, Jr.
Robert B. Vandiver, Jr. 15685
P.O.Box 906
227 W. Baltimore
Jackson, TN 38301
(731) 554-1313

CERTIFICATE OF SERVICE

The undersigned party, Attorney for party, or agent therefore hereby certifies that on this 30th day of October, 2006, copies of the documents identified above were served by mail to the parties listed:

A complaint captioned complaint to compel turnover of funds filed by the debtor counsel on October 30, 2006.

/s/Robert B. Vandiver, Jr.
Robert B. Vandiver, Jr. 15685

Debtor
Debtor's Attorney
Chapter 13 Trustee
Cash 1, 97 Mathis Drive, Dickson TN 37055